

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

August 21, 2007

The Real Estate Appraiser Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

John C. Harry, III, Chairman
Gina Burgin
Harry Lewis, Jr.
Douglas Mullins, Jr.
Richard Pruitt
Janet W. Fuller
Pat Turner, Jr.
Diane Quigley (arrived 10:20 a.m.)

The following Board member was not present: Sandra Johnson

DPOR Staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director
Nick Christner, Deputy Director
Christine Martine, Executive Director
Kevin Hoeft, Regulatory Board Administrator
Earlyne Perkins, Legal Analyst
Emily Trent, Administrative Assistant
Sheila Watkins, Administrative Assistant

No representative from the Attorney General's office was present.

Chairman Harry called the meeting to order at 10:04 AM.

Call to Order

A motion was made by Mr. Lewis and seconded by Ms. Fuller to approve the agenda. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Mullins, Pruitt, Fuller, and Turner.

Approval of Agenda

A motion was made by Mr. Lewis and seconded by Mr. Mullins to approve the following minutes: July 16, 2007 Informal Fact-Finding Conferences, May 1, 2007 Board Meeting. The motion passed

Approval of Minutes

unanimously. Members voting “Yes” were Burgin, Lewis, Harry, Mullins, Pruitt, Fuller, and Turner.

Max Strickland addressed the Board during the Public Comment Period. Mr. Strickland raised concerns about continuing education for online courses. No action was taken by the Board.

Public Comment

Mr. Saunders also addressed the Board. He raised issues concerning the AQB requirements with respect to the time limits imposed on students by the segmented approach approved by the Board. No action was taken by the Board.

In the matter of **File Number 2006-02137, Michael Scott Moore**, the Board reviewed the Consent Order as seen and agreed to by Mr. Moore. Mr. Moore was present and addressed the Board. A motion was made by Mr. Turner and seconded by Mr. Pruitt to reject the proposed Consent Order offer and extended a counter offer to Mr. Moore wherein Mr. Moore admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board’s 2003 Regulations and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1 as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for violation of Count 1, Mr. Moore agrees to complete a 30 hour upper level residential appraiser class offered by an Appraisal Foundation Sponsor and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above referenced course will not count towards any continuing education requirements for renewal of license. In addition, for violation of Count 1, Moore agrees to a thirty (30) day suspension of his license. The motion passed unanimously. Members voting “Yes” were Burgin, Lewis, Harry, Mullins, Pruitt, Fuller, and Turner.

File Number 2006-02137,
Michael Scott Moore

As the reviewing Board member, Ms. Quigley did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-04183, James Manley Mattson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Mattson. A motion was made by Mr. Lewis and seconded by Ms. Fuller to accept the Consent Order wherein Mr. Mattson admits to a violation of 18 VAC 130-20-170.3 (Count 1) of the Board’s 2003 Regulations and agrees to a monetary penalty of \$1,000.00 for the

File Number 2006-04183,
James Manley Mattson

violation contained in Count 1 as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for violation of Count 1, Mr. Mattson agrees to complete a 15 hour USPAP course and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above referenced USPAP course will not count towards any continuing education requirements for renewal of license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Mullins, Pruitt, and Fuller.

As the reviewing Board member, Ms. Quigley did not participate in the discussion or vote related to this matter.

Mr. Turner abstained from voting in this matter.

Ms. Diane Quigley arrived at the meeting at 10:20 a.m.

In the matter of **File Number 2007-01697, Wendy Faith Coates**, the Board reviewed the Consent Order as seen and agreed to by Ms. Coates. A motion was made by Mr. Turner and seconded by Mr. Pruitt to reject the Consent Order and remand the case back to staff for an Informal Fact Finding Conference. The motion passed unanimously. Members voting "Yes" were Turner, Quigley, Burgin, Lewis, Harry, Mullins, Pruitt, and Fuller.

In the matter of **File Number 2007-03649, Janice D. Puleo**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Pruitt and seconded by Ms. Fuller to accept the recommendation and approve Ms. Puleo's application for a Certified General Appraiser license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Quigley, Mullins, Pruitt, and Fuller.

As the reviewing Board member, Mr. Turner did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-04962, Carol D. Jones**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the Board member. Ms. Jones, the applicant,

Board Member Arrival

**File Number 2007-01697,
Wendy Faith Coates**

**File Number 2007-03649,
Janice D. Puleo**

**File Number 2007-04962,
Carol D. Jones**

was present and addressed the Board. A motion was made by Mr. Pruitt and seconded by Ms. Fuller to accept the recommendation and approve Ms. Jones' application for a Licensed Residential Appraiser license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Quigley, Mullins, Pruitt, and Fuller.

As the reviewing Board member, Mr. Turner did not participate in the discussion or vote related to this matter.

Mr. Harry left at 11:30 a.m. and Mr. Lewis assumed chair of the meeting.

Ms. Martine shared information with the Board about the **ASC Field Review** and the issues raised by the ASC.

1. Board regulations and practices regarding appraiser reinstatement from inactive status do not conform to AQB criteria;
2. Submission of inaccurate disciplinary action data to the ASC for inclusion in the National Registry; and
3. Ensure implementation of regulatory amendments to conform to December 2003 AQB Interpretation.

Ms. Martine will write a letter to the ASC addressing those issues as requested by the Board.

The Board reviewed the proposed regulations which staff will submit as an Exempt action as these changes are mandated by the Appraisal Qualification Board.

Approve Regulations

Motion was made by Mr. Pruitt and seconded by Ms. Quigley to approve the regulation as presented. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Turner, Quigley, Mullins, Pruitt, and Fuller.

Ms. Martine updated the Board on the status of the proposed regulations going through the general review process.

Mr. Turner offered a motion seconded by Mr. Pruitt to extend the timeframe for completion of the required segments by the applications

to December 31, 2009. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Turner, Quigley, Mullins, Pruitt and Fuller.

Sharon Sweet addressed the Board concerning exam issues and distributed a handout for review. The AQB will be releasing the new exam on January 1, 2008. There was a question and answer period with participation by the Board.

Exam Issues

Karen O'Neal addressed the Board and wanted the Board members to voice their opinions on the new Board meeting set up.

Other Business

Mr. Turner shared his concerns with the Board about 54.1-2010. After discussion, it was decided that the Board would have Ms. Martine ask the Real Estate Board to include an article in the Real Estate Board newsletter to remind the licensees that they should be aware of 54.1-2010.

New Business

Ms. Martine introduced her new staff members, Kevin Hoeft and Emily Trent. Ms. Adams introduced her new staff member, Andrea Parker.

There being no further business, the meeting adjourned at 12:00 P.M.

Adjourn

John C. Harry, III, Chairman

Jay W. DeBoer, Secretary